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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,107	07/09/2003	John C. Artz JR.	VIGN1460-1	1669
44654 7590 11/12/2008 SPRINKLE IP LAW GROUP 1301 W. 25TH STREET SUITE 408 AUSTIN, TX 78705				
EXAMINER				
DUONG, OANH L.				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/616,107

Applicant(s)

ARTZ ET AL.

Examiner

OANH DUONG

Art Unit

2455

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 are presented for examination.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

3. Claims 1, 5, and 11 are objected to because of the following informalities: a short form (i.e., a user's) should not be used in claims. Appropriate correction is required.
4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cofino et al. ("Cofino"), US 6,996,536 Bb, in view of Applicant Admitted Prior Art ("AAPA")

Regarding claim 1, Cofino teaches a method of associating requests and events comprising:

logging events at servers (i.e., online stores) (abstract and col. 4 lines 37-39),
receiving a set of HTTP request data which includes, for each HTTP request in a set of HTTP requests, a request time stamp, and a string indicating said each HTTP request or a logical page corresponding to said each HTTP request (*i.e., receive a*

group of requests or a first web log entry, col. 4 lines 37-51, wherein each request including time stamp, col. 6 lines 54-59);

receiving a set of event data which includes, for each of said logged events, an event time stamp and data corresponding to execution of one or more script (*i.e., a set of shopping steps such as click-throughs basket placement, and purchase, Fig. 6 line 57-col. 8 line 5*);

associating each of said logged events with a previous HTTP request from the set of HTTP requests that has a request time stamp being closest in time to the event time stamp of the event (*a previous HTTP request such as search for production P2 at time-stamp T1 and events such a click-though A1 at time-stamp T1, Basket Placement A1 at time-stamp T8 and Purchase A1 at time-stamps T20. Those entries are associated in the first line of table 601 of Fig. 6 with time sequence order T1, T6, T8 and T20*).

Cofino does not explicitly teach initiation of said events includes generation of dynamic content according to one or more scripts at the one or more servers and activities initiated in response to a user's browsing behavior.

AAPA teaches initiation of said events includes generation of dynamic content according to one or more scripts at server and activities initiated in response to a user's browsing behavior (*Fig. 1 page 4 paragraph [0007]*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Cofino to include initiation of said events includes generation of dynamic content according to one or more scripts at server and

activities initiated in response to a user's browsing behavior as taught by AAPA because it was conventionally employed in the art to allow dynamic content to be generated and communicated to client computer.

Regarding claim 2, Cofino teaches the method of claim 1, further comprising time ordering the set of HTTP requests and time ordering the set of events (*i.e.*, *requests are sorted by timestamp, col. 6 lines 61-62*).

Regarding claim 3, Cofino-AAPA teaches the method of claim 1, wherein servers includes at least one application server (*i.e.*, AAPA, application server 20, Fig. 1) wherein at least one of said logged events is an application event (*i.e.*, *Cofino, col. 6 lines 49-53*).

Regarding claim 4, Cofino teaches the method of claim 3, wherein the at least one application event includes the generation of dynamic content for a web page (*col. 6 lines 49-53*).

Regarding claim 5, Cofino teaches a method for associating requests with events comprising:

logging events at one or more servers (*i.e.*, records shopper's navigation of the online store in web server log, *col. 4 lines 37-39*),

receiving a set of HTTP request data representing one or more HTTP requests associated with one or more users, which includes, for each HTTP request in a set of HTTP requests, a request user identifier, a request time stamp, and a string indicating said each HTTP request or a logical page corresponding to said each HTTP request (col. 10 lines 35-43);

receiving a set of event data representing one or more events associated with one or more users, which includes, for each of said logged events, an user identifier (i.e., session/shopper ID), an event time stamp , and data corresponding to execution of said one or more script (*Fig. 6 col. 7line 14-col. 8 line 5*);

determining a set of HTTP requests associated with a first user from the one or more HTTP requests based on the request user identifiers (col. 7 lines 16-27);

determining a set of events associated with the first user from the said logged events based on the event user identifiers (col. 7 lines 28-56); and

associating the set of events associated with first user and the set of HTTP requests associated with the first user based on the event time stamp for each of the set of events associated with the first user and the event time stamp for each of the set of HTTP requests associated with the first user (i.e., session S1 or first user, *Fig. 6 col. 7 lines 16-col. 8 line 19*).

Cofino does not explicitly teach initiation of said events includes generation of dynamic content according to one or more scripts at the one or more servers and activities initiated in response to a user's browsing behavior.

AAPA teaches initiation of said events includes generation of dynamic content according to one or more scripts at the one or more servers and activities initiated in response to a user's browsing behavior (*Fig. 1 page 4 paragraph [0007]*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Cofino to include initiation of said events includes generation of dynamic content according to one or more scripts at the one or more servers and activities initiated in response to a user's browsing behavior as taught by AAPA because it was conventionally employed in the art to allow dynamic content to be generated and communicated to client computer.

Regarding claim 6, Cofino teaches the method of Claim 5, wherein associating the set of events associated with the first user and the set of HTTP request associated with the first user comprises associating each event of the set of events associated with the first user with a previous HTTP request that has a request time stamp being closest in time to the event time stamp of the event (i.e., micro-conversion table for session S1, T, T3, T10, T12, Fig. 6 col. 7 lines 28-56).

Regarding claim 7, Cofino teaches the method of Claim 6, wherein in the event time stamp for each event and the request time stamp for each HTTP request are generated by synchronized clocks (col. 6 lines 59-61).

Regarding claim 8, Cofino teaches the method of Claim 6, wherein at least one event of the one or more events is an application event (*col. 6 lines 49-53*).

Regarding claim 9, Cofino teaches the method of Claim 8, wherein the at least one application event includes the generation of dynamic content for a web page (*col. 6 lines 49-53*).

Regarding claim 10, Cofino teaches the method of Claim 8, wherein the one or more events includes only application events (Fig. 11).

Regarding claims 11-16, those claims does recite or define any new limitation above claims 5-10, discussed above, same rationale of rejection is applicable.

Regarding claims 18-20, those claims does not recite or define any new limitation above claims 1-4, discussed above, same rationale of rejection is applicable.

Response to Arguments

5. Applicant's arguments filed 07/11/2008 have been fully considered but they are not persuasive.

In the remarks, applicants argued in substance that

(A) Prior art (i.e., Cofino and AAPA) does not teach logging events at various servers affected by a user's browsing, wherein initiation of said events includes generation of dynamic content according to one or more scripts at the servers.

As to point (A), Cofino teaches logging events at servers affected by a user's browsing (i.e., record shoppers' navigation of online stores/servers, abstract and col. 4 lines 37-44). AAPA teaches initiation of said events includes generation of dynamic content according to one or more scripts at server (*Fig. 1 page 4 paragraph [0007]*). Therefore, the combination of Cofino and AAPA does teach the aforementioned feature. It is noted that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to OANH DUONG whose telephone number is (571)272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Oanh Duong/
Primary Examiner, Art Unit 2455

Application Number**Application/Control No.**

10/616,107

Examiner

OANH DUONG

**Applicant(s)/Patent under
Reexamination**

ARTZ ET AL.

Art Unit

2455